SPECIAL ANNUITY COMPUTATION RULES FOR CERTAIN CIA EMPLOYEES*

SERVICE ABROAD

SEC. 305. The Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) is amended by adding at the end the following new section:

"SPECIAL ANNUITY COMPUTATION RULES FOR CERTAIN EMPLOYEES' SERVICE ABROAD

50 USC 403r.

"SEC. 18. (a) Notwithstanding any provision of chapter 83 of title 5, United States Code, the annuity under subchapter III of such chapter of an officer or employee of the Central Intelligence Agency who retires on or after October 1, 1989, is not designated under section 203 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, and has served abroad as an officer or employee of the Agency on or after January 1, 1987, shall be computed as provided in subsection (b).

"(b)(1) The portion of the annuity relating to such service abroad that is actually performed at any time during the officer's or employee's first ten years of total service shall be computed at the rate and using the percent of average pay specified in section 8339(a)(3) of title 5, United States Code, that is normally applicable only to so much of an employee's total service as exceeds ten years.

"(2) The portion of the annuity relating to service abroad as described in subsection (a) but that is actually performed at any time after the officer's or employee's first ten years of total service shall be computed as provided in section 8339(a)(3) of title 5, United States Code; but, in addition, the officer or employee shall be deemed for annuity computation purposes to have actually performed an equivalent period of service abroad during his or her first ten years of total service, and in calculating the portion of the officer's or employee's annuity for his or her first ten years of total service, the computation rate and percent of average pay specified in paragraph (1) shall also be applied to the period of such deemed or equivalent service abroad.

"(3) The portion of the annuity relating to other service by an officer or employee as described in subsection (a) shall be computed as provided in the provisions of section 8339(a) of

title 5, United States Code, that would otherwise be applicable to such service.

"(4) For purposes of this subsection, the term 'total service' has the meaning given such term under chapter 83 of title 5, United States Code.

"(c) For purposes of subsections (f) through (m) of section 8339 of title 5, United States Code, an annuity computed under this section shall be deemed to be an annuity computed under subsections (a) and (o) of section 8339 of title 5, United States Code.

"(d) The provisions of subsection (a) of this section shall not apply to an officer or employee of the Central Intelligence Agency who would otherwise be entitled to a greater annuity computed under an otherwise applicable subsection of section 8339 of title 5, United States Code.".

PORTABILITY OF OVERSEAS SERVICE RETIREMENT BENEFIT

50 USC 403r-1

SEC. 306. The special accrual rates provided by section 303 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees and by section 18 of the Central Intelligence Agency Act